

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:)	
Timothy Lee McMillan)	Case No.
96 Days Court)	Chapter <u>13</u>
Sanford, NC 27332)	
)	
Brooke Marie McMillan)	
96 Days Court)	
Sanford, NC 27332)	
)	
)	
)	
SS# <u>xxx-xx-3678</u>)	
SS# <u>xxx-xx-1240</u>)	
Debtor(s))	

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on October 30, 2015.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of \$525.00 per month for a period of 58 months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs

1. Attorney fees.

The attorney for the Debtor will be paid the base fee of \$2,500.00. The Attorney has received \$ 0.00 from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.

The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs. The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses

III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

a. None

b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.

d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
Harnett County Tax Office	\$131.29
Internal Revenue Service	\$0.00
Lee County Tax Office	\$276.10
NC Department of Revenue	\$0.00

IV. Secured Claims

1. Real Property Secured Claims

- a. None
- b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)

2. Personal Property Secured Claims

- a. None
- b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Farmers Furniture	Patio Set with umbrella	\$200.00	Y	\$204.00	\$0.00	\$3.91	5.25%
Santander Consumer USA	2013 Nissan Altima 53,000 miles; value = nada clean retail	\$19,259.00	Y	\$0.00	\$192.59	\$376.68	5.25%
W S Badcock Corporation	Lawn Mower; Fridge, Bedroom Set	\$1,300.00	Y	\$933.00	\$0.00	\$25.43	5.25%
W S Badcock Corporation	Washer, Dryer, Entertainment Center, Recliner	\$1,500.00	Y	\$1,112.00	\$0.00	\$29.34	5.25%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
Lendmark Financial Services	2007 Jeep Liberty 137,000 miles; value= debtors: inoperable

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 0 %.

VII. Executory Contracts/Leases

- a. None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

- a. None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: October 30, 2015/s/ A.B. Harrington, III**A.B. Harrington, III 1913**

Attorney for the Debtor

Address: **Post Office Box 1072
311 North Horner Boulevard
Sanford, NC 27331-1072**Telephone: **(919) 775-3447**
State Bar No. **1913**

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

Timothy Lee McMillan)
Brooke Marie McMillan)
SS# xxx-xx-3678)
SS# xxx-xx-1240)
Debtor(s)	

**NOTICE TO CREDITORS
AND
PROPOSED PLAN**

Case No. _____

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402

Richard M. Hutson, II
Chapter 13 Trustee
Durham Division
Post Office Box 3613
Durham, NC 27702-3613

Alliance One
Attn: Managing Agent
1684 Woodlands Drive, Suite 150
Maumee, OH 43537

Applied Business Services
Attn: Managing Agent / Officer
PO Box 910
Edenton, NC 27932

Bass & Associates PC
Attn: Managing Agent
3936 E. Ft. Lowell Road, Suite 200
Tucson, AZ 85712

BB&T
Bankruptcy Section
P.O. Box 1847
Wilson, NC 27894-1847

Cbe Group
Attn: Bankruptcy
Po Box 900
Waterloo, IA 50704

CCS
Attn: Managing Agent / Officer
Po Box 9134
Needham Heights, MA 02494

Central Emergency Physicians
Mailstop: 49468373
PO Box 660827
Dallas, TX 75266

Central Financial Control
Attn: Bankruptcy
Po Box 66044

Anaheim, CA 92816

Credit Collections Svc
Po Box 773
Needham, MA 02494

Credit Protection Association, L.P.
Attn: Managing Agent / Officer
13355 Noel Road
Dallas, TX 75240

Department of Health and Human Services
Attn: Managing Agent / Officer
2001 Mail Service Center
Raleigh, NC 27699

Department of the Treasury
Financial Management Services
Po Box 1686
Birmingham, AL 35201

Dish Network
Attn: Managing Agent / Officer
PO Box 94063
Palatine, IL 60094

ERC/Enhanced Recovery Corp
8014 Bayberry Rd
Jacksonville, FL 32256

Farmers Furniture
Attention: Bankruptcy
1851 Telfair St.
Dublin, GA 31040

Fingerhut
Attn: Managing Agent
Post Office Box 166
Newark, NJ 07101-0166

Fort Sill National Ban
511 Sw A Ave
Lawton, OK 73501

Fort Sill National Bank
Attn: Managing Agent / Officer
511 Sw A Ave
Lawton, OK 73501

George Brown Associates
Attn: Managing Agent / Officer
2200 Crown Point Executive Drive
Charlotte, NC 28227

Grandpointe
1112 7th Ave
Monroe, WI 53566

Grn Cap Fin
5945 Cliffdale Rd
Fayetteville, NC 28314

Harnett County Tax Office
Attn: Bankruptcy/ Kim Baker
305 W. Cornelius Harnett Blvd., Suite 10
P.O. Box 250
Lillington, NC 27546-0250

Harris & Harris, Ltd
Harris & Harris, Ltd.
111 W Jackson Blvd 400
Chicago, IL 60604

Reginald S. Hinton
Process Agent for NC Depart. of Revenue

Post Office Box 2500
Raleigh, NC 27640-5000

Internal Revenue Service
Attn: Special Procedures Staff
320 Federal Place, Room 335
Greensboro, NC 27402

Ist Investors
Attn: Managing Agent / Officer
380 Interstate N. Parkway, Ste 300
Atlanta, GA 30339

JL Walston & Associate
1107 West Main St., Suite 201
Durham, NC 27701

Lee County Tax Office
Attn:Bankruptcy
Post Office Box 1968
Sanford, NC 27331-1968

Lendmark Financial Services
Attn: Managing Agent / Officer
Po Box 2969
Covington, GA 30015

Med-Care Diabetic
Attn: Managing Agent / Officer
933 Clint Moore Road
Boca Raton, FL 33487

Mid-Carolina Radiology
Attn: Managing Agent
P.O. Box 120590
Newport News, VA 23612

Mohan C. Deachand Md
Attn: Managing Agent / Officer
114 South Gulf Street
Sanford, NC 27330

NC Department of Revenue
Office Services Division
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

North Shore Agency
Attn: Managing Agent / Officer
Po Box 9221
Old Bethpage, NY 11804

On-Line Collections
Attn: Managing Agent / Officer
Po Box 1489
Winterville, NC 28590

Online Collections
Attn: Managing Agent / Officer
Po Box 1489
Winterville, NC 28590

Optimum Outcomes
Attn: Managing Agent / Officer
421 Fayetteville St Ste 600
Raleigh, NC 27601

Performat Recovery Inc
Attn: Managing Agent / Officer
Po Box 9054
Pleasanton, CA 94566

Progressive Southeastern Insurance
Attn: Managing Agent / Officer

Po Box 55126
Boston, MA 02205

Publisher's Clearing House
Attn: Managing Agent / Officer
720 Winners Circle
Saint Cloud, MN 56399

RJM Acquisitions Funding LLC
Attn: Managing Agent
575 Underhill Blvd.
Suit 224
Syosset, NY 11791

Santander Consumer USA
Attn: Managing Agent / Officer
Po Box 961245
Fort Worth, TX 76161

Solstas Lab Partners
Attn: Managing Agent / Officer
PO Box 35907
Greensboro, NC 27425

Transworld Systems, Inc
Attn: Managing Agent / Officer
507 Prudential Road
Horsham, PA 19044

Tri-State Adjustments
Attn: Managing Agent / Officer
Po Box 3219
La Crosse, WI 54602

TRS Recovery Services, Inc
Attn: Managing Agent / Officer
PO Box 60022
City of Industry, CA 91716

US Attorney's Office
Middle District
P.O. Box 1858
Greensboro, NC 27402-1858

US Cellular
Attn: Managing Agent / Officer
8410 W. Brynmawr, ste 700
Tulsa, OK 74146-5299

Us Dept. of Education
Attn: Managing Agent / Officer
PO Box 87130
Lincoln, NE 68501

US Path Labs LLC
Attn: Managing Agent / Officer
902 Clint Moore Road
Boca Raton, FL 33487

Virgil Lewis
34 Pine Lake Drive
Whispering Pines, NC 28327

W S Badcock Corporation
Attn: Managing Agent
PO Box 232
Mulberry, FL 33860

Wells Fargo Bank
c/o Sarah Miranda
Bankruptcy Department
PO Box 2505
Fayetteville, NC 28302

Woodforest Bank
Attn: Managing Agent / Officer
Po box 7889
Spring, TX 77387

Date: October 30, 2015

/s/ A.B. Harrington, III
A.B. Harrington, III 1913